

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

MAY 10 2005

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

022438.43865

Re Application: O'Brien et al.

Application No.

09/965,738

Filing Date

September 27, 2001

Examiner

Customer No.

28172

Group Art Unit

Confirmation No.

Title: Repeat Sequences of the CA125 Gene and Their Use For Diagnostic and Therapeutic Interventions

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of \$180.00 is attached.
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Address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Describe the Application of:

TIMOTHY J. O'BRIEN

Serial No.: 09/965,738

Filed: September 27, 2001

For: REPEAT SEQUENCES OF THE CA125)
GENE AND THEIR USE FOR)
FOR DIAGNOSTIC AND THERAPEUTIC)
INTERVENTIONS

Group Art Unit No.: 1642

Examiner: Saraswathy Seetharam

Attorney Docket No.: 022438.43865

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute “prior art.” If the Examiner applies the document as prior art against any claim in the application and Applicant determines that the cited documents do not constitute “prior art” under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Document AA – U.S. Patent No. 6,335,194 issued to Bennett et al. on January 1, 2002, discloses antisense compounds, compositions and methods for modulating the expression of Survivin. The compositions comprise antisense compounds, particularly antisense oligonucleotides, targeted to nucleic acids encoding Survivin. Methods of using these compounds for modulation of Survivin expression and for treatment of diseases associated with expression of Survivin are provided.

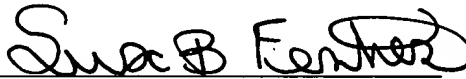
Document BB – U.S. Patent No. 6,451,602 issued to Popoff et al. on September 17, 2002 discloses antisense compounds, compositions and methods for modulating the expression of human PARP. The compositions comprise antisense compounds, particularly antisense oligonucleotides, targeted to nucleic acids encoding human PARP. Method of using these compounds for modulation of human PARP expression and for treatment of diseases associated with expression of human PARP are provided.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that it was considered by making appropriate notations on the attached form.

In the event the Examiner has any questions regarding this document, please contact the undersigned at the telephone number listed below.

Respectfully Submitted,

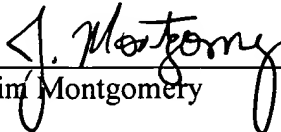
Butler, Snow, O'Mara, Stevens &
Cannada, PLLC

By: 
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Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, on 5/5/2005 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Jim Montgomery

MEMPHIS 163920v1

 <p>INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p>	Docket Number (Optional) 022438.43865	Application Number 09/965,738
	Applicant(s) Timothy J. O'Brien	
	Filing Date 9/27/01	Group Art Unit 1642

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,335,194	1-1-2002	Bennett et al.	435/375		2-2-2000
	BB	6,451,602	9-17-2002	Popoff et al.	435/375		3-2-2000

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

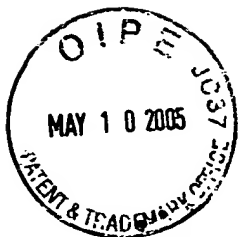
FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



CERTIFICATE OF MAILING

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James D. Montgomery